

IFW/S

PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/709,162
Filing Date	November 10, 2000
First Named Inventor	Guillermo J. Tearney
Art Unit	3737
Examiner Name	Eleni M. Mantis Mercader
Attorney Docket Number	187718/US - 475387-00245

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-1449 form with references and Return Receipt Postcard
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Dorsey & Whitney, L.L.P.		
Signature			
Printed name	Gary Abelev, Esq.		
Date	September 14, 2006	Reg. No.	Reg. No. 40,479

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Gary Abelev, Esq.	Date	September 14, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/04

**FEE TRANSMITTAL SHEET
(FY 2005)****Complete if Known**

Application No.	09/709,162
Filing Date	November 10, 2000
First Inventor	Guillermo J. Tearney
Group Art Unit	3737
Examiner Name	Eleni M. Mantis Mercader
Atty. Docket Number	187718/US - 475387-00245

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)**METHOD OF PAYMENT (Check One)**☒ Check ☐ Credit Card ☐ Money Order☒ Deposit Account No.: 50-2054

Deposit Account Name: DORSEY & WHITNEY LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17☒ Credit any overpayments☐ Other (please identify):**Extra Claim Fees**

Current Claims	Prior	Extra	Fee	Fee Paid
Total	-	=	x \$	= \$
Ind.	-	=	x \$	= \$
Multiple Dependent Claims	-	=	x \$	= \$
Subtotal (Extra Claims)				\$

Petition Fee Under 37 CFR 1.17(f), (g), & (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

- ☐ Petition Fee under 37 CFR 1.17(f) **Fee \$400**
- § 1.53(e) to accord a filing date.
§ 1.57(a) to accord a filing date.
§ 1.182 for decision on a question not provided for.
§ 1.183 to suspend the rules.
§ 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
§ 1.174(b) to accord a filing date to an application under §1.740 for extension of patent term.
- ☐ Petition Fee under 37 CFR 1.17(g) **Fee \$200**
- § 1.12 for access to an assignment record.
§ 1.14 for access to an application.
§ 1.47 for filing by other than all inventors or person not the inventor.
§ 1.59 for expungement of information.
§ 1.103(a) to suspend action in an application.
§ 1.136(b) for review of a request for ext. of time when §1.136(a) not avail.
§ 1.295 for review of refusal to publish a statutory invention registration.
§ 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
§ 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
§ 1.550(c) for request for ext. of time in ex parte reexam. proceedings.
§ 1.956 for request for ext. of time in ex parte reexam. proceedings.
§ 5.12 for expedited handling of foreign filing license.
§ 5.15 for changing the scope of a license.
§ 1.5.25 for retroactive license.
- ☐ Petition Fee under 37 CFR 1.17(h) **Fee \$130**
- § 1.19(g) to request documents in a form other than provided in this part.
§ 1.84 for accepting color drawings or photographs.
§ 1.91 for entry of a model or exhibit.
§ 1.102(d) to make an application special.
§ 1.138(c) to expressly abandon an application to avoid publication.
§ 1.313 to withdraw an application from issue.
§ 1.314 to defer issuance of a patent.

FEE CALCULATION (Continued)**3. ADDITIONAL FEES**

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	
180	180	Submission of IDS	180
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
130	65	Terminal Disclaimer Fee	
800	400	Design Issue Fee	
790	395	Request for Continued Examination (RCE)	
130		Request for voluntary publication or republication	
500	250	Petition to Revive - unavoidable	
1,500	750	Petition to Revive - unintentional	
200		Filing for patent term adjustment	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	
OTHER FEE (specify)			

Subtotal (Additional Fees)**Total Amount of Payment: \$180**

Submitted by:

CUSTOMER NUMBER
30873

DORSEY & WHITNEY LLP

250 Park Avenue
New York, NY 10177

Name: Gary Abelev, Esq.

Phone No. (212) 415-9371

Fax No.: (212) 953-7201

Signature:

Reg. No.: 40,479

Date: September 14, 2006



187718/US - 475387-00245 PATENT

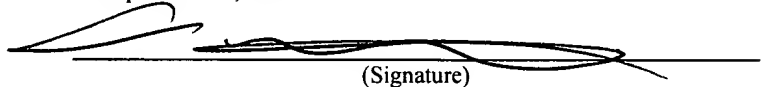
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Guillermo J. Tearney et al.
Serial No. : 09/709,162
Filed : November 10, 2000
Entitled : SPECTRALLY ENCODED MINIATURE ENDOSCOPIC
IMAGING PROBE
Group Art Unit : 3737
Examiner : Eleni M. Mantis Mercader

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97(i)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U. S. mail addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this day of September 14, 2006.


(Signature)
Gary Abelev, Esq.

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants respectfully requests that the listed references on the enclosed form PTO-1449 be placed in the file of the above-referenced application. Copies the PCT, foreign and non-patent references are enclosed

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

09/19/2006 HVUONG1 00000041 09709162

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If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute “prior art” under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

The requisite fee of \$180.00 pursuant to these sections and 37 C.F.R. § 1.17(p) is enclosed herewith. The Commissioner is hereby further authorized to charge any deficiencies and credit any over payments for the submission of this Information Disclosure Statement to the Dorsey & Whitney’s Deposit Account 50-2054.

Respectfully submitted,

DORSEY & WHITNEY, LLP



Gary Abelev
USPTO Reg. No. 40,479
Attorney for Applicants
(212) 415-9371

Form PTO-1449 U.S. Department of Commerce
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.
187718/US - 475387-00245

Serial No.
09/709,162

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

(Use several sheets if necessary)

Applicant(s)
Guillermo J. Tearney

Filing Date
November 10, 2000

Group
3737



U.S. PATENT DOCUMENTS

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENT

	Document No.	Date	Country	Class	SubClass	Translator Yes No
	4 3 0 9 0 5 6	September 22, 1994	Germany			
	2 2 0 9 2 2 1	May 4, 1989	Great Britain			
	0 1 1 0 2 0 1	June 13, 1984	European			
	0 2 5 1 0 6 2	January 7, 1988	European			
	9 2 1 9 9 3 0	November 12, 1992	WIPO			
	9 3 0 3 6 7 2	March 4, 1993	WIPO			
	9 7 3 2 1 8 2	September 4, 1997	WIPO			
	9 8 3 5 2 0 3	August 13, 1998	WIPO			
	9 9 4 4 0 8 9	September 2, 1999	WIPO			
	9 9 5 7 5 0 7	November 11, 1999	WIPO			
	0 0 5 8 7 6 6	October 5, 2000	WIPO			
	0 1 4 2 7 3 5	June 14, 2001	WIPO			
	0 2 5 4 0 2 7	July 11, 2002	WIPO			
0	3 0 2 0 1 1 9	March 13, 2003	WIPO			
	0 1 3 8 8 2 0	May 31, 2001	WIPO*			
0	4 1 0 5 5 9 8	December 9, 2004	WIPO			
	0 2 3 6 0 1 5	May 10, 2002	WIPO**			
	0 2 3 8 0 4 0	May 16, 2002	WIPO**			
	1 4 2 6 7 9 9	June 9, 2004	European **			
1	9 5 4 2 9 5 5	May 22, 1997	Germany **			
0	3 0 6 2 8 0 2	July 31, 2003	WIPO**			

Examiner

Date Considered

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce
(REV. 2-82) Patent and Trademark Office

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		9	5	3	3	9	7	1	December 14, 1995	WIPO**				
		9	8	1	4	1	3	2	April 9, 1998	WIPO***				
		9	8	4	8	8	3	8	November 5, 1998	WIPO***				
		4	1	3	5	5	5	0	May 11, 1992	Japan ***				
		4	1	3	5	5	5	1	May 11, 1992	Japan ***				

* U.S. equivalent is provided.

** References cited in International Search Report

*** References cited in Japanese Patent Application No. 2002-538830

**** References cited in Office Action dated August 24, 2006 for U.S. Patent Application No. 10/137,749

OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)

			Fujimoto et al., "High Resolution in Vivo Intra-Arterial Imaging with Optical Coherence Tomography," <u>Official Journal of the British Cardiac Society</u> , Vol. 82, pages 128-133 Heart, 1999
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			Oscar Eduardo Martinez, "3000 Times Grating Compress or with Positive Group Velocity Dispersion," <u>IEEE</u> , Vol. QE-23, pages 59-64, January 1987
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Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office	Atty. Docket No. 187718/US – 475387-00245	Serial No. 09/709,162
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant(s) Guillermo J. Tearney	
	Filing Date November 10, 2000	Group 3737

		Yung et al., "Phase-Domain Processing of Optical Coherence Tomography Images," <u>Journal of Biomedical Optics</u> , Vol. 4, pages 125-136, January 1999
		Tearney, et al., "In Vivo Endoscopic Optical Biopsy with Optical Coherence Tomography," <u>SCIENCE</u> , Vol. 276, June 1997
		W. Drexler et al., "In Vivo Ultrahigh-Resolution Optical Coherence Tomography," <u>Optics Letters</u> Vol. 24, pp. 1221-3, September 1999
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		Bouma, Brett et al., "Power-Efficient Nonreciprocal Interferometer and Linear-Scanning Fiber-Optic Catheter for Optical Coherence Tomography," <u>Optics Letters</u> , Vol. 24, pages 531-533, April 1999
		Brinkmeyer, E. et al., "Efficient Algorithm for Non-Equidistant Interpolation of Sampled Data," <u>Electronics Letters</u> , Vol. 28, page 693, March 1992

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3737

		Brinkmeyer, E. et al., "High-Resolution OCDR in Dispersive Wave-Guides," <u>Electronics Letters</u> , Vol. 26, pages 413-414, March 1990
		Chinn, S.R. et al., "Optical Coherence Tomography Using a Frequency-Tunable Optical Source," <u>Optics Letters</u> , Vol. 22, pages 340-342, March 1997
		Danielson, B.L. et al., "Absolute Optical Ranging Using Low Coherence Interferometry," <u>Applied Optics</u> , Vol. 30, page 2975, July 1991
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		Glance, B., "Polarization Independent Coherent Optical Receiver," <u>Journal of Lightwave Technology</u> , Vol. LT-5, page 274, February 1987
		Glombitza, U., "Coherent Frequency-Domain Reflectometry for Characterization of Single-Mode Integrated-Optical Wave-Guides," <u>Journal of Lightwave Technology</u> , Vol. 11, pages 1377-1384, August 1993

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		Golubovic, B. et al., "Optical Frequency-Domain Reflectometry Using Rapid Wavelength Tuning of a Cr ⁴⁺ :Forsterite Laser," <u>Optics Letters</u> , Vol. 11, pages 1704-1706, November 1997
		Haberland, U. H. P. et al., "Chirp Optical Coherence Tomography of Layered Scattering Media," <u>Journal of Biomedical Optics</u> , Vol. 3, pages 259-266, July 1998
		Hammer, Daniel X. et al., "Spectrally Resolved White-Light Interferometry for Measurement of Ocular Dispersion," <u>Journal of the Optical Society of America A-Optics Image Science and Vision</u> , Vol. 16, pages 2092-2102, September 1999
		Harvey, K. C. et al., "External-Cavity Diode-Laser Using a Grazing-Incidence Diffraction Grating," <u>Optics Letters</u> , Vol. 16, pages 910-912, June 1991
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		Hotate Kazuo et al., "Optical Coherence Domain Reflectometry by Synthesis of Coherence Function," <u>Journal of Lightwave Technology</u> , Vol. 11, pages 1701-1710, October 1993
		Inoue, Kyo et al., "Nearly Degenerate 4-Wave-Mixing in a Traveling-Wave Semiconductor-Laser Amplifier," <u>Applied Physics Letters</u> , Vol. 51, pages 1051-1053, 1987
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		Ivanov, A. P. et al., "Interferometric Study of the Spatial Structure of a Light-Scattering Medium," <u>Journal of Applied Spectroscopy</u> , Vol. 28, pages 518-525, 1978
		Kazovsky, L. G. et al., "Heterodyne Detection Through Rain, Snow, and Turbid Media: Effective Receiver Size at Optical Through Millimeter Wavelengths," <u>Applied Optics</u> , Vol. 22, pages 706-710, March 1983

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		Kersey, A. D. et al., "Adaptive Polarization Diversity Receiver Configuration for Coherent Optical Fiber Communications," <u>Electronics Letters</u> , Vol. 25, pages 275-277, February 1989
		Kohlhaas, Andreas et al., "High-Resolution OADR for Testing Integrated-Optical Waveguides: Dispersion-Corrupted Experimental Data Corrected by a Numerical Algorithm," <u>Journal of Lightwave Technology</u> , Vol. 9, pages 1493-1502, November 1991
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		Leitgeb, R. et al., "Spectral measurement of Absorption by Spectroscopic Frequency-Domain Optical Coherence Tomography," <u>Optics Letters</u> , Vol. 25, pages 820-822, June 2000
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		Naganuma, Kazunori et al., "Group-Delay Measurement Using the Fourier-Transform of an Interferometric Cross-Correlation Generated by White Light," <u>Optics Letters</u> , Vol. 15, pages 393-395, April 1990
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		Passy, R. et al., "Experimental and Theoretical Investigations of Coherent OFDR with Semiconductor-Laser Sources," <u>Journal of Lightwave Technology</u> , Vol. 12, pages 1622-1630, September 1994
		Podoleanu, Adrian G., "Unbalanced Versus Balanced Operation in an Optical Coherence Tomography System," <u>Applied Optics</u> , Vol. 39, pages 173-182, January 2000
		Price, J. H. V. et al., "Tunable, Femtosecond Pulse Source Operating in the Range 1.06-1.33 μ m Based on an Yb ³⁺ -doped Holey Fiber Amplifier," <u>Journal of the Optical Society of America B-Optical Physics</u> , Vol. 19, pages 1286-1294, June 2002

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant(s) Guillermo J. Tearney	
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